

Attorney Docket: 030418
U.S. Application No. 10/733,192 Art Unit 2617
Response to September 20, 2007 Office Action

REMARKS

In response to the Office Action dated September 20, 2007, the Assignee respectfully requests reconsideration in light of the following remarks. The Assignee respectfully submits that the pending claims already distinguish over the cited documents to *Osborn* and *Windsor*.

Claims 1, 3, 5-6, 8-13, and 15 are pending in this application. Claims 2, 7, and 14 were previously canceled without prejudice or disclaimer.

Telephone Interview

Examiner Stephen is thanked for the telephone interview of December 14, 2007. This application claims an accessory device that alerts of "outgoing" calls. All the cited documents teach accessory devices that alert of "incoming" calls. The Examiner says she knows of no other documents, but she would speak with her supervisor.

Rejection of Claims under § 103 (a)

The Office rejected claims 1, 3, 5-6, and 8-13, and 15 under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent 6,119,022 to *Osborn, et al.* in view of U.S. Patent 5,734,706 to *Windsor, et al.*

These claims, however, are not obvious over *Osborn* and *Windsor*. The pending claims already recite, or incorporate, many features that are not taught or suggested by the combined teaching of *Osborn* and *Windsor*. As the Assignee has previously explained, independent claims 1, 8, and 13 describe an accessory device that alerts of outgoing calls. The combined teaching of *Osborn* and *Windsor*, however, describes an accessory unit that only alerts of incoming calls. The combined teaching of *Osborn* and *Windsor* does not disclose, teach, or even suggest an accessory device that alerts of outgoing calls, as the pending independent claims recite.

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Independent claim 1, for example, recites many features describing alerts for outgoing calls. A “*base station receive[s] the outgoing call and wirelessly transmitting to an accessory device*” (emphasis added). The “*base station ... wirelessly transmit[s] only called line identification information to the accessory device, the called line identification information associated with the outgoing call to a called number*” (emphasis added). The “*accessory device ... wirelessly receiv[es] the called line identification information and the display continuously presenting a called telephone number and a duration of the outgoing call, the processor comparing the called telephone number to selected telephone numbers stored in the memory, and when a match is found, then upon origination the processor causing the alerting circuitry to alert of the outgoing call*” (emphasis added). The “*accessory device continuously presents the called telephone number to the subscriber, thus informing the subscriber of a called party's identity associated with the outgoing call*” (emphasis added). Independent claims 8 and 13 recite similar features.

The proposed combination of *Osborn* and *Windsor* cannot obviate these features. *Osborn* discloses an “incoming call alert system.” U.S. Patent 6,119,022 to *Osborn, et al.* at column 4, line 18 (emphasis added). Control circuitry monitors for “receipt of an incoming call” and transmits “a ring command message to [an] accessory unit.” *Id.* at column 4, lines 52-55 (emphasis added). “It is highly desirable for the source of an incoming call ... to be identified.” *Id.* at column 6, lines 19-20 (emphasis added). CallerID information may be included in a ring command message. See *id.* at column 6, lines 25-29. Memory may store CallerID information to be compared to the incoming call. See U.S. Patent 6,119,022 to *Osborn, et al.* at column 6, lines 35-40. The call may be “automatically dispatched,” such as “sending the incoming call to a voicemail box, answering the incoming call, or ignoring the incoming call.” *Id.* at column 6, lines 40-44. *Osborn*, in fact, makes repeated explanations of alerts for incoming calls. See, e.g., *id.* at column 1, lines 7-10; at column 2, line 18, line 26, and line 45; at column 3, line 12, line 16, line 23, line 37, and line 46; and numerous additional locations.

Windsor discloses a conversion device that converts Caller ID information. U.S. Patent 5,734,706 to *Windsor, et al.* at column 3, lines 35-57. *Windsor* discusses the conversion of

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incoming Caller ID signals into signals that are communicated to a computer's database. *See id.* at column 5, lines 1-10. When an incoming call is received, *Windsor*'s conversion device "strips off the ringing voltage and current." *Id.* at column 3, lines 35-37. *See also id.* at column 5, lines 29-31; at column 5, lines 38-40; and at column 7, lines 33-35. The caller ID information is obtained, formatted, and transmitted to an external computer. *See id.* at column 8, lines 18-20. The external computer then compares the caller ID information to a database and displays the database results. *See id.* at column 8, lines 55-67.

Windsor's conversion device may also process outgoing calls. "[R]ather than stripping the voltage," the dialed DTMF signals are converted into the called number. U.S. Patent 5,734,706 to *Windsor*, *et al.* at column 3, lines 51-55. *See also id.* at column 8, lines 4-11. The called number is formatted into a "formatted signal" and transmitted to the external computer, as before. *Id.* at column 8, lines 18-20. The external computer compares the called number to the database and displays the database results. *See id.* at column 8, lines 55-67.

The Office should now realize that *Osborn* and *Windsor* do not obviate the independent claims. First, the combined teaching of *Osborn* and *Windsor* makes no teaching or suggestion of an accessory device that alerts of outgoing calls. *Osborn* is replete with explanations of alerts for incoming calls, but *Osborn* is completely silent to alerts for outgoing calls. The Office cites to *Osborn* at column 4, lines 27-30 as teaching alerts for outgoing calls, but the Assignee must, very respectfully, disagree. This passage of *Osborn* explains that "the present invention is applicable to data communication and multimedia communication terminals for which a request to begin a session is equivalent to the arrival of an incoming call." U.S. Patent 6,119,022 to *Osborn*, *et al.* at column 4, lines 27-30. This single sentence in no way provides adequate teaching of an accessory device that alerts of outgoing calls. Moreover, whatever this sentence means, the sentence expressly states "a request to begin a session is equivalent to the arrival of an incoming call" (emphasis added). *Osborn*, quite simply, fails to teach, suggest, or even contemplate an accessory device that alerts of outgoing calls.

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Second, *Osborn* and *Windsor* are silent to at least another claimed feature. All the independent claims similarly recite "*the base station discarding a voice portion of the outgoing call and wirelessly transmitting only called line identification information to the accessory device, the called line identification information associated with the outgoing call to a called number.*" The Office admits that *Osborn* is silent to these features, and the Office alleges that *Windsor* teaches these features. The Assignee, however, must, very respectfully, again disagree. As the above paragraphs explained, when *Windsor* discusses the conversion of incoming Caller ID signals, *Windsor's* conversion device "strips off the ringing voltage and current." U.S. Patent 5,734,706 to Windsor, *et al.* at column 3, lines 35-37. See also *id.* at column 5, lines 29-31; at column 5, lines 38-40; and at column 7, lines 33-35. When an outgoing call is processed, though, "rather than stripping the voltage," *Windsor* explains that the dialed DTMF signals are converted into the called number. U.S. Patent 5,734,706 to Windsor, *et al.* at column 3, lines 51-55. See also *id.* at column 8, lines 4-11. So, no where does *Windsor* teach or suggest "discarding a voice portion of the outgoing call," as independent claims 1, 8, and 13 recite. Moreover, *Windsor* explains that voltage and current are stripped from an incoming call, not the "voice portion of the outgoing call."

Claims 1, 3, 5-6, and 8-13, and 15, then, are not obvious over *Osborn* and *Windsor*. The independent claims recite many features that are not taught or suggested by the combined teaching of *Osborn* and *Windsor*. The dependent claims incorporate these same features and recite additional features. One of ordinary skill in the art, then, would not think that claims 1, 3, 5-6, and 8-13, and 15 are obvious. The Office is thus respectfully requested to remove the § 103 (a) rejection of these claims.

If any questions arise, the Office is requested to contact the undersigned at (919) 469-2629 or scott@scottzimmerman.com.

Respectfully submitted,

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